

HARGRAY COMMUNICATIONS, INC.
P.O. Box 5519
Hilton Head Island, South Carolina 29938

September 23, 2005

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, D.C. 20554

Re: Hargray Communications, Inc.
WC Docket No. 05-196
Subscriber Acknowledgement Report – Final Report

Dear Ms. Dortch:

On August 26, 2005, the Federal Communications Commission (“Commission”) released a Public Notice requiring interconnected voice over Internet protocol (“VoIP”) providers to submit a report regarding the status of receipt of affirmative acknowledgements by subscribers that they have read and understood an advisory concerning the limitations of their enhanced 911 (“E911”) service.¹ An updated report was submitted on September 1, 2005 (“Second Report”). Pursuant to this Public Notice, Hargray Communications, Inc. (the “Company”) hereby submits the following:²

1. Detailed explanation regarding current compliance with the notice and warning sticker requirements *if* the provider did not notify and issue warning stickers or labels to 100% of its subscribers by the July 29, 2005 deadline. Providers expected to update this information include those that were in the process of providing notice and/or stickers to their subscribers, but had not completed the process by July 29, 2005.

As explained in its Second Report, letters containing labels stating, “**Warning** Location Information may not be delivered when dialing 911” were sent to 100% of the customers on July 28, 2005 and again in follow-up letters on August 9, 2005. A letter accompanying the labels instructed subscribers to attach the labels on or near their phone or other device that is used to make Internet calls.

2. Quantification of the percentage of the provider’s subscribers that have submitted affirmative acknowledgements as of September 22, and an estimation of the percentage of subscribers from whom the provider does not expect to receive an acknowledgement by September 28, 2005.

¹ See *Enforcement Bureau Provides Further Guidance to Interconnected Voice Over Internet Protocol Service Providers Concerning Enforcement of Subscriber Notification Requirement*, WC Docket Nos. 04-36 & 05-196; DA 05-2358, Public Notice (rel. Aug. 26, 2005) (“Public Notice”).

² The Company respectfully requests the Commission to accept this report one day after the reporting deadline.

Although the Company has been continuing to contact subscribers that have not responded, only 63.4 percent of the company's external active VoIP subscribers have acknowledged receipt of the notice.³ The Company will continue contacting active customers that have not yet responded, but anticipates that very few will respond prior to the September 28, 2005 disconnect date since they have not responded after almost two months after the notice was sent.

3. A detailed description of any and all actions the provider plans to take towards any of its subscribers that do not affirmatively acknowledge having received and understood the advisory.

The Company will continue making follow-up calls to subscribers that have not yet responded and will continue to do so until all subscribers have responded or the September 28, 2005 deadline arrives. As required in the Public Notice, any customers that do not respond by September 28, 2005 will be disconnected.

4. A detailed description of any and all plans to use a "soft" or "warm" disconnect (or similar) procedure for subscribers that fail to provide an affirmative acknowledgement by September 28, 2005.

In its Second Report, the Company noted that its traditional wireline operation utilizes a "kind and gentle disconnect" which directs all outbound non-emergency calls to the Company's customer service department. The Company has determined, however, that this same type of disconnect cannot be used for its VoIP service. Accordingly, the Company does not intend to utilize any kind of "soft" disconnect for subscribers that do not respond by the September 28, 2005 deadline.

Please contact the undersigned with any questions.

Respectfully Submitted,

s/ Dewaine Wilson

Dewaine Wilson

cc: Byron McCoy, Telecommunications Consumers Division, Enforcement Bureau
Kathy Berthot, Deputy Chief, Spectrum Enforcement Division, Enforcement Bureau
Janice Myles, Competition Policy Division, Wireline Competition Bureau
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³ In its Subscriber Notification Report filed in the above-referenced docket on August 10, 2005, the Company reported that, as of that date, it had received affirmative acknowledgements from 66 percent of its customers. Subsequent to filing that report, the Company recalculated the total number of VoIP subscribers to include only what was considered active external customers at the time the notice was sent. The percentage reported above takes this recalculation into account.